

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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In re: : In Chapter 13
: :
MELVIN CHAPPELL JR., AND : Bankruptcy No. 19-11245-MDC
CHARLENE GRACE-CHAPPELL :
: Debtor.
: :
: :
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**PHILADELPHIA GAS WORKS' OBJECTION TO DEBTORS' PROPOSED AMENDED
CHAPTER 13 PLAN DATED JULY 1, 2021**

Philadelphia Gas Works (hereinafter "PGW") hereby files this Objection to the confirmation of the Debtors' Proposed Amended Chapter 13 Plan dated July 1, 2021. PGW is a secured creditor. The Municipal Liens were filed by the City of Philadelphia on behalf of the Philadelphia Gas Works for gas service to the property 5011 Saul Street, Philadelphia, PA (the "Property") pursuant to 53 Pa. C.S.A. §7101 et seq. These liens are statutory liens. PGW filed a Proof of Claim on March 28, 2019 for the amount claimed \$11,310.96 (\$7471.40 is the secured claim amount).

PGW avers the following to its objection thereto:

1. On February 28, 2019, the Debtors commenced their bankruptcy proceeding in Chapter 13.
2. On July 1, 2021 the Debtors filed a Proposed Amended Chapter 13 Plan ("Plan").
3. PGW objects to Debtor's statement and misinformation of the Philadelphia Gas Works Responsibility Program ("CRP") Agreement as described in Part 4 Secured Claims, §4 (b),

which lists PGW as a creditor and lists Debtor paying PGW \$92.14 in accordance with CRP Agreement.

4. Debtor, Mr. Chappell had a CRP Agreement under account number 02 1026 3695. This CRP was activated on September 5, 2017 and \$2390.40 was placed in frozen arrears. The debtor/customer then began to be billed monthly \$97.14 (\$92.14 CRP + \$5.00 towards the arrears). The customer/debtor did not recertify providing up to date income, so the CRP suspended on September 5, 2018. **There is no active CRP Agreement in place presently due debtor not recertifying.**
5. Debtor cannot list the CRP Agreement in Part 4 Secured Claims, §4 (b) because there is no active CRP Agreement. PGW is not receiving *any* CRP payments from Debtor.
6. Counsel for PGW learned that Debtor is in a payment arrangement with PGW, but it is not a CRP Agreement as identified in the Debtors' Proposed Chapter 13 Plan.
7. On June 5, 2019, Debtor entered into a payment agreement with PGW.
8. This payment agreement of June 5, 2019 was in breach by Defendant and was reinstated on June 21, 2021.
9. On June 21, 2021, Defendant paid PGW \$207.90 pursuant to his reinstated payment agreement.
10. To date, no other payment from Defendant has been received by PGW and as such Defendant is delinquent on his present payment agreement with PGW.
11. This payment agreement is for post- petition debt.
12. Debtor pursuant to this June 21, 2021 payment arrangement pays PGW directly each month.

13. Since there is no existing CRP Agreement, PGW requests that the Plan be amended and that the any reference to the CRP Agreement be removed.

14. PGW requests that the Plan not include any reference to any payment agreement with PGW as it is for post- petition debt and Debtor pays PGW directly.

WHEREFORE, Philadelphia Gas Works respectfully requests that this Court APPROVE the Debtors' Proposed Chapter 13 Plan **only** if the requested language in Part 4 Secured Claims, §4 (b) is removed in its entirety since there is no CRP Agreement.

Respectfully submitted,

PHILADELPHIA GAS WORKS

Dated: July 21, 2021

Respectfully submitted,

/s/ Pearl Pham

Pearl Pham

Senior Attorney

Philadelphia Gas Works

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Philadelphia, PA 19122

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CERTIFICATION OF SERVICE

I, Pearl Pham, attorney for Philadelphia Gas Works, hereby certify that a true and correct copy of the foregoing Philadelphia Gas Works' Objection to Debtors' Proposed Amended Chapter 13 Plan, dated July 1, 2021 was served by the means designated below on the date set forth below, upon all parties including the following:

VIA ECF

Roger V. Ashodian, Esq.
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Trustee
WILLIAM C. MILLER, Esq.
Chapter 13 Trustee
P.O. Box 1229
Philadelphia, PA 19105
215-627-1377

U.S. Trustee
United States Trustee
Office of the U.S. Trustee
833 Chestnut Street
Suite 500
Philadelphia, PA 19107
(215) 597-4411

Dated: July 21, 2021

/s/ Pearl Pham
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